

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 3295 of 2007()

CRA.359/2006 of SESSIONS COURT, PALAKKAD
SC.4574/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,
PALAKKAD
.....

REVN. PETITIONER: APPELLANT/ACCUSED

DR.RAJAMOHANAN NAIR,S/O. KUMARA PILLAI,
"KRISHNAPRIYA"CHADAYANKALAYI,KANJIKODE,
PALAKKAD.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS: COMPLAINANT

1. DR. GEORGE T. NINAN,
T.C.NINAN,THERADAPUZHA VEETIL,KUNNATHURMEDU,
KANNUR AMSOM,PALAKKAD. REP. BY THE POWER OF
ATTORNEY HOLDER K. VISWANATHAN,
S/O.LATE KUTTAPPAN.
7/166, KOPPAM, PALAKKAD.

2. STATE OF KERALA, REP. BY
THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA.
ERNAKULAM.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.SREEKANTH.K.R
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.
* * * * *
Crl.R.P. No. 3295 of 2007
* * * * *
Dated: 19-12-2007

ORDER

The accused in S.T. No. 4574 of 2004 on the **file** of the J.F.C.M.II, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13520 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,
(JUDGE)**

ani.

